

PATENT  
Customer No. 22,852  
Attorney Docket No. 7738.0147-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Grant E. DUBOIS et al. )  
Application No.: 09/838,809 ) Group Art Unit: 1761  
Filed: April 20, 2001 )  
For: NON CALORIC FROZEN ) Examiner: C. Paden  
CARBONATED BEVERAGE ) Confirmation No.: 3526  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Via EFS-Web

Sir:

**PETITION FOR EXTENSION OF TIME**

Applicants hereby petition for a one-month extension of time to file a Request for Continued Examination in reply to the Office Action of July 3, 2007. A fee of \$120.00 is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 31, 2007

By: *Jen M. Mon* #55,468  
Lori-Ann Johnson  
Reg. No. 34,498